

**VIRGINIA'S JUVENILE
JUSTICE PRIORITIES
AND
PROGRAM PLANS TO
MEET PRIORITIES**

TABLE OF CONTENTS

JUVENILE JUSTICE PRIORITIES AND PROGRAM PLANS

PAGE

PRIORITIES FOR GRANT FUNDING AND PROGRAM PLANS

1. Reducing recidivism of adjudicated juveniles released from secure confinement	4
2. Addressing criminalization of juveniles with mental health/ substance abuse needs	7
3. Disproportionate minority contact with the juvenile justice system.	10
4. At-risk children and young juvenile offenders aged 13 and younger	13
5. Providing alternatives to detention	18
6. Reducing system involvement of truant and juveniles with other negative school-related behaviors.	21
7. Legal representation of juveniles	24

OTHER PROGRAM DESCRIPTIONS

State Advisory Group	27
Planning and Administration	30

VIRGINIA'S JUVENILE JUSTICE PRIORITIES AND PROGRAM PLANS TO MEET PRIORITIES

THE PROCESS OF ESTABLISHING PRIORITIES

Establishing Virginia's priorities was a process that occurred over a number of months and involved many players. Staff reviewed the data and solicited input from the juvenile justice community. The Virginia Departments of Juvenile Justice; Education; Social Services; Correctional Education; Mental Health, Mental Retardation and Substance Abuse Services; and the Supreme Court were contacted. Input was also solicited from the Indigent Defense Commission, the Commonwealth Attorneys' Services Council, and the Commission on Youth. Associations representing juvenile justice or other interested professionals were also contacted – the Association of Chiefs of Police, the Council of Detention Superintendents, the Sheriffs Association, the Association of Counties, and the Municipal League.

Staff presented data, survey input, and recommended priorities to the Virginia Advisory Committee on Juvenile Justice at their Fall Retreat. The Advisory Committee made the final determinations about the content and priorities of the list.

PRIORITY LISTING FOR GRANT FUNDING

1. Reducing recidivism of adjudicated juveniles released from secure confinement;
2. Addressing criminalization of juveniles with mental health/substance abuse needs;
3. Disproportionate minority contact with the juvenile justice system;
4. At-risk children and young juvenile offenders aged 13 and younger;
5. Providing alternatives to detention
6. Reducing system involvement of truants and juveniles with other negative school-related behaviors;
7. Legal representation of juveniles.

The Advisory Committee passed a motion that special consideration would be given to rural localities submitting applications for funding.

PRIORITY LISTING FOR MONITORING

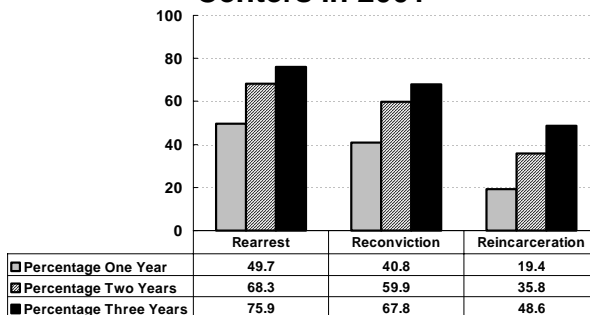
8. Gangs
9. Sex Offenders.

Priority 1: Reducing Recidivism of Adjudicated Juveniles Released from Secure Confinement

Federal Program Areas: (01) Aftercare/Reentry;
(19) Juvenile Justice System Improvement.

Program Problem Statement:

Recidivism Rates for Juveniles Released from Virginia Juvenile Correctional Centers in 2001



Reincarceration rate is to a juvenile correctional center, the Department of Corrections, or a local jail.
Data Source: Department of Juvenile Justice Data Resource Guide, FY 2004.

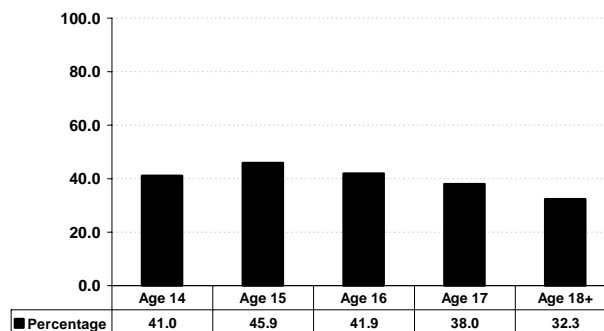
Prepared by: Juvenile Services Section, DCJS.

Recidivism rates for juveniles released from Virginia's juvenile correctional centers are high. The chart shows re-arrest, reconviction, and re-incarceration rates for juveniles released from Virginia juvenile correctional facilities in 2001. As the chart shows, re-arrest rates are over 75% after 3 years and re-incarceration rates are almost half.

It is not just the older children who are recidivating. The chart shows one-year reconviction rates by age. Of the 409 children who were reconvicted within a year of their 2004 release, reconviction rates are remarkably similar for those aged 14 and older. Of those reconvicted, 99% were aged 14 or older. So few were aged 12 and 13 that the percentages are not meaningful.

Most juveniles are held in correctional centers for 1-2 years. Given the recidivism data, attention is needed to the types of programs offered, the implementation of those programs in the correctional centers, and to the reintegration of children into their communities including

One-Year Reconviction Rates, by Age, FY2004 Releases



Data Source: Department of Juvenile Justice Data Resource Guide, 2004

Prepared by: Juvenile Services Section, DCJS.

aftercare services.

Incarceration in a juvenile correctional facility is expensive. In 2004, the annual per capita cost was \$88,271¹, which includes \$17,808 Department of Correctional Education per capita cost.

Program Goals/Objectives/Activities:

Goal. To reduce recidivism rates of juveniles released from juvenile correctional facilities.

Objective 1:

To encourage the use of programs in juvenile correctional facilities which are known to reduce recidivism.

Activities and Services Planned

- ◆ Support the Department of Juvenile Justice in their existing efforts to improve programming in institutions.

Objective 2:

To improve transition practices used in the juvenile correctional centers.

Activities and Services Planned

- ◆ Support the Department of Juvenile Justice in endeavors to improve transitional services.

Objective 3:

To improve community re-entry programs.

Activities and Services Planned

- ◆ Support the Department of Juvenile Justice assessment of re-entry programs;
- ◆ Provide funding to localities for training and services that will replicate effective re-entry programs.

Performance Measures (Juvenile Justice System Improvement):

Output Measures

- ◆ Funds awarded for juvenile justice system improvement;
- ◆ Number of programs implemented*.

Outcome Measures

- ◆ Number and percent of youth completing program requirements*;
- ◆ Number and percent of program youth exhibiting a desired change in target behaviors*.

* If applicable.

¹ Virginia Department of Juvenile Justice (2005), *Data resource guide: Fiscal year 2005 (p.185)*. Richmond, Virginia.

Note. In Virginia, sub-grantees choose non-mandatory output and outcome measures.

Performance Measures (Aftercare/Re-entry):

Output Measures

- ◆ Formula grant funds awarded for services;
- ◆ Number of Program youth served.

Outcome Measures

- ◆ Number and percent of program youth who offend or re-offend;
- ◆ Number and Percent of program youth completing program requirements.

Note. In Virginia, sub-grantees choose non-mandatory output and outcome measures.

Budget (Juvenile Justice System Improvement):
--

Year	JJDP	State	Total
2006	\$0	\$0	\$0
2007	\$50,000	\$0	\$50,000
2008	\$175,000	\$0	\$175,000

Budget (Aftercare/Re-entry):

Year	JJDP	State	Total
2006	\$62,000	\$0	\$62,000
2007	\$100,000	\$0	\$100,000
2008	\$150,000	\$0	\$150,000

Priority 2: Addressing Criminalization of Juveniles with Mental Health/Substance Abuse Needs

Federal Program Areas: (19) Juvenile Justice System Improvement
(32) Substance Abuse

Program Problem Statement:

It has been suggested that the Virginia juvenile justice system is used as an alternative treatment resource for children with mental health needs. Thus, children may be referred to juvenile court because a judge can order treatment in the community that the child would not receive otherwise.

A 2002 report of the American Bar Association states:

Children with disabilities are overrepresented in the justice system and the juvenile court is the mental health service provider for poor children in the Commonwealth (p.32) ².

It recommends,

The Commonwealth should address the increase in mental health and school-related referrals to juvenile court and evaluate their appropriateness, especially as this impacts minority youth.

In a 2001 survey³ of juvenile justice professionals, including staff of court service units and members of the judiciary, offenders with mental health problems was one of the highest ranked items.

Unquestionably, there are offenders who are legitimately in the system who have mental health treatment needs. An analysis of juveniles committed to the State's correctional facilities⁴ indicated that, in 2003, 23% of males and 42% of females had a history of prior psychiatric hospitalization. These children are receiving treatment.

However, there is a need to find treatment alternatives for children who are being placed in the juvenile justice system to obtain mental health treatment. Putting them in the juvenile justice system criminalizes them and the puts them in contact with delinquents who may have a negative impact on their behavior.

² American Bar Association Juvenile Justice Center & Mid-Atlantic Juvenile Defender Center (2002). *Virginia: An Assessment of access to counsel and quality of representation in delinquency proceedings*. Washington, D.C.: American Bar Association.

³ Virginia Department of Criminal Justice Services, Juvenile Services Section (2001). *Juvenile Accountability and Incentive Block Grant (JAIBG) Survey*. Richmond, VA

⁴ Waite, D., & Neff, J. (2004). *Profiles of incarcerated adolescents in Virginia's correctional facilities, Fiscal years 1999-2003*. Richmond, VA, Virginia Department of Juvenile Justice.

Goals/Objectives/Activities:

Goal: To prevent children from being placed in the juvenile justice system solely for mental health treatment.

Objective:

Partner with other state agencies to explore how to keep these children out of the juvenile justice system.

Activities and Services Planned:

- ◆ Continue to participate in the interdepartmental *Child and Family Behavioral Health Policy and Planning Committee*;
- ◆ Monitor legislation that passes the current legislative session regarding mental health treatment for children and determine appropriate activities.

Goal: To improve access to services that effectively prevent children from entering the juvenile justice system.

Objective:

To prevent children from abusing illegal drugs and alcohol, a risk factor for delinquency.

Activities and Services Planned:

- ◆ Provide grant funding to localities for model programs that target children who are abusing drugs;
- ◆ Provide grant funding for model programs for children who are at risk for substance abuse.

Performance Measures (Juvenile Justice System Improvement):

No funding, therefore no performance measures.

Performance Measures (Substance Abuse):

Output Measures

- Formula grant funds awarded for services;
- Number of program youth served.

Outcome Measures

- Number and percent of program youth who offend or re-offend*;
- Number and Percent of program youth completing program requirements*;
- Number and percent of program youth exhibiting desired change in substance use.

Note. In Virginia, sub-grantees choose non-mandatory output and outcome measures.

* For intervention programs only.

Budget (Juvenile Justice System Improvement):

Year	JJDP	State	Total
2006	\$0	\$0	\$0
2007	\$0	\$0	\$0
2008	\$0	\$0	\$0

Budget (Substance Abuse):

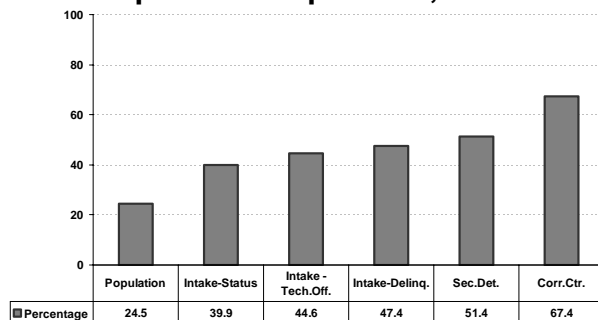
Year	JJDP	State	Total
2006	\$65,000	\$0	\$65,000
2007	\$50,000	\$0	\$50,000
2008	\$25,000	\$0	\$25,000

Priority 3: Disproportionate Minority Contact with the Juvenile Justice System

Federal Program Area: (10) Disproportionate Minority Contact

Program Problem Statement:

Percentage of African American Youth in Virginia Juvenile Justice System Compared to Population, FY 2005



Data Sources: Department of Juvenile Justice & Office of Juvenile Justice & Delinquency Prevention, Statistical Briefing Book, population estimates for 2003.
Population is percentage of aged 10-17 who are African American

Prepared by: Juvenile Services Section, DCJS.

African American youth are over-represented throughout the juvenile justice system in Virginia, relative to their percentage in the juvenile population. They constitute just one-quarter (24.5%) of the juvenile population aged 10-17, but two-thirds of admissions to juvenile correctional facilities. As the chart shows, they are overrepresented at all stages of the juvenile

justice system and, as one moves deeper into the system, the percentage of African American youth increases.

Under the Juvenile Justice and Delinquency Prevention Act, all states are required to address disproportionate minority contact in the juvenile justice system. DCJS is the state agency responsible for ensuring compliance with the Act in order to receive Title II Formula grant and Title V Delinquency Prevention grant funds under the Juvenile Justice and Delinquency Prevention Act.

For information about the problem and Virginia's plans to address it, see the data on race in the section, *Analysis of Juvenile Crime Problems* and the *Plan for Compliance with the Disproportionate Minority Contact Core Requirement*.

Goals/Objectives/Activities:

Goal A: Reduce the number of minority youth who come into contact with Virginia's juvenile justice system, at all levels of the system, through the implementation of evidence-based programs or strategies.

Objective 1:

Reduce the number of children held in secure detention.

Activities and Services Planned:

- ◆ Refer to program plan, *Alternatives to Detention*, which has reducing the number of children in secure detention as one of its goals.

Objective 2:

Increase the level and competency of legal assistance available to indigent juveniles.

Activities and Services Planned:

- ◆ Refer to program plan, *Legal Representation of Juveniles*, which has the goal of improving the quality of legal service provided by public defenders and court-appointed counsel.

Goal B: Increase knowledge about the problem of disproportionate minority contact with the juvenile justice system in Virginia.

Objective 1:

Continue to provide cultural awareness training to juvenile justice system professionals, law enforcement officers, and judges, throughout the State.

Activities and Services Planned:

- ◆ Provide information about DMC during the annual Juvenile Justice and Delinquency Prevention conference.
- ◆ Provide technical assistance and training as needed.
- ◆ **Objective 2:**
- ◆ Ensure that the Advisory Committee on Juvenile Justice is informed and updated about DMC issues in Virginia.
- ◆ **Activities and Services Planned:**
- ◆ Plan meetings of the Disproportionate Minority Contact Subcommittee to reactivate it.
- ◆ **Objective 3:**
- ◆ Assist localities in assessing the extent of disproportionate minority representation in the communities.
- ◆ **Activities and Services Planned:**
- ◆ Provide grant funding to localities for assessment of DMC;
- ◆ Update the State Juvenile Justice System Demographics web page so that the data are current.

Performance Measures:

Output Measures:

- ◆ Formula grants or Title V funds allocated or awarded for DMC at the state and local levels;
- ◆ Number of programs implemented*;

- ◆ Number of program youth served*.

Outcome Measures:

- ◆ Number of state agencies reporting improved data collection systems*;
- ◆ Number of local agencies reporting improved data collection systems*;
- ◆ Number and percent of program youth who offend or re-offend*;
- ◆ Number and percent of program youth exhibiting desired change in behavior (mandatory for prevention programs only);
- ◆ Number and percent of program youth completing program requirements*;
- ◆ Number of contributing factors determined from assessment studies*.

*If applicable.

Note. In Virginia, sub-grantees choose non-mandatory output and outcome measures.

Budget :

Year	JJDP	State	Total
2006	\$62,000	\$0	\$62,000
2007	\$50,000	\$0	\$50,000
2008	\$50,000	\$0	\$50,000

Priority 4: At-Risk Children & Young Juvenile Offenders Aged 13 and Younger

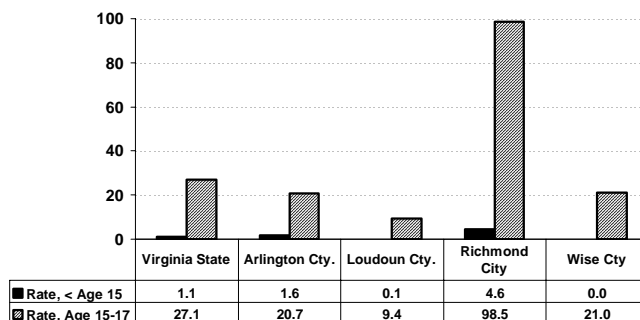
Federal Program Areas: (08) Deinstitutionalization of Status Offenders
(09) Delinquency Prevention
(29) Serious Crime

Program Problem Statement:

The number of young children having contact with the juvenile justice system has been a concern to DCJS for several years. Virginia has had the Young Juvenile Offender Initiative since 2002 with priority for Title II grants. This new priority would expand that to include preventing delinquency in at-risk youth and high-risk first time pregnant women and their children.

The teen pregnancy rate in Virginia localities is quite variable, as the chart shows. Some localities have very high rates of teen pregnancy and high

**Teen Pregnancy Rate per 1,000 Population
for Selected Virginia Localities, 2003**



Data Source: Virginia Department of Health web site
For age <15, population is females aged 10-14;
for age 15-17, population is females aged 15-17.

Prepared by: Juvenile Services Section, DCJS.

child abuse rates⁵, a high percentage of families with children living below the poverty line⁶, high delinquent intake rates, and low household median income⁶. These variables put children at risk. A recent federal report, *Risk and Protective Factors of Child Delinquency*, suggests that the

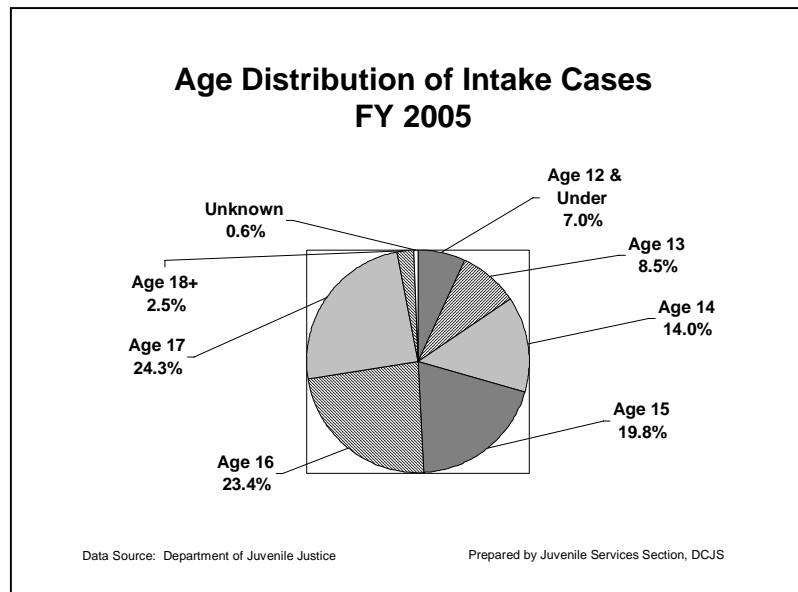
combination of reducing risk factors and increasing protective factors is crucial to developing effective early intervention programs for very young offenders⁷.

⁵ Virginia Department of Social Services web site. Rate is based on the population aged 0-17.

⁶ U.S. Census Bureau

⁷ Wasserman, G., Keenan, K., Tremblay, R., Coie, J., Herrenhohl, T., Loeber, R., & Peterchuk, D. (2003). Risk and protective factors of child delinquency. U.S. Department of Justice OJJDP Child Delinquency Bulletin Series. Available online at ojjdp.ncjrs.org (publication #NCJ 193409)

Research has shown that a juvenile offense at ages 6-11 is the strongest predictor of subsequent violent or serious delinquency even if the offense did not involve violence⁸. It is the second strongest predictor for the age 12-14 group. As shown in the graph, children aged 13 and younger represent about one-sixth -- 15.5% -- of children brought to intake for delinquent and status offenses and technical violations.



The number of juvenile offenders aged 13 and younger coming before the courts now constitutes a large portion of the intake population. In 2005, about 63,000 children were brought to intake for delinquent, technical and status offenses. Almost 10,000 (9,813) were aged 13 and younger. These children are not just being brought to intake, but are also being admitted to secure detention facilities. In 2005, about 8%, 1,400 of the 17,000 secure detention admissions, were 13 years of age or younger.

Recent Virginia data confirm the pattern of offenses at a young age leading to later more serious delinquency. Of children committed to the Department of Juvenile Justice in 2003, almost three-fourths (73.5%) were first adjudicated at age 14 or younger⁹.

Goals/Objectives/Activities:

Goal A: Reduce the number of children aged 13 and younger who have contact with the juvenile justice system.

Objective 1:

Provide funding for prevention programs that meet local needs.

Activities and Services Planned:

Provide grant funding for model prevention programs.

⁸ Hawkins, J., Herrenkohl, T., Farrington, D., Brewer, D., Catalano, R., Harachi, T., & Cothorn, L. (2000). *Predictors of youth violence*. Juvenile Justice Bulletin. Washington, D.C.: U.S. Department of Justice, Office of Justice Programs, Office of Juvenile Justice and Delinquency Prevention.

⁹ Waite, D., & Neff, J. (2004). *Profiles of incarcerated adolescents in Virginia's correctional facilities, Fiscal years 1999-2003*. Richmond, VA, Virginia Department of Juvenile Justice.

Objective 2:

Improve access to services that effectively prevent the further penetration of young juvenile offenders into the juvenile justice system.

Activities and Services Planned:

- ◆ Provide grant funding to localities for model programs that target juvenile offenders aged 13 and younger and their siblings;
- ◆ Provide grant funding for model programs for children who are at risk for entry into the juvenile justice system.

Objective 3:

Evaluate funded programs that target juvenile offenders aged 13 and younger and their siblings.

Activities and Services Planned:

- ◆ Continue funding of the Young Juvenile Offenders Initiative evaluation.

Goal B: Increase the capacity of state agencies and localities to identify accurately the needs of young offenders.

Objective: Collaborate with child-serving agencies, including the juvenile justice system, to identify the needs of young offenders.

Activities and Services Planned:

- ◆ Continue the collection, analysis, and sharing of information;
- ◆ Provide training opportunities to professionals in the juvenile justice system and other child-serving agencies about risk and protective factors for delinquency;
- ◆ Provide training to juvenile justice professionals about model programs and strategies.

Performance Measures (DSO):**Output Measures**

- ◆ Amount of federal grant funds awarded;
- ◆ Number of programs implemented;
- ◆ Number of site visits conducted;
- ◆ Number of program youth served.

Outcome Measures

- ◆ Change in the number of violations of the Deinstitutionalization of Status Offenders requirement.

Note. In Virginia, sub-grantees choose non-mandatory output and outcome measures.

Performance Measures (Delinquency Prevention):**Output Measures**

- ◆ Amount of federal grant funds awarded;
- ◆ Number of program youth served.

Outcome Measures

- ◆ Number and percent of program youth exhibiting desired change in targeted behaviors (grantees will choose specific measures);
- ◆ Number and percent of youth completing program requirements.

Note. In Virginia, sub-grantees choose non-mandatory output and outcome measures.

Performance Measures (Serious Crime):**Output Measures**

- ◆ Amount of federal grant funds awarded;
- ◆ Number of program youth served.

Outcome Measures

- ◆ Number and percent of program youth who offend or re-offend;
- ◆ Number and percent of program youth completing program requirements.

Note. In Virginia, sub-grantees choose non-mandatory output and outcome measures.

Budget (DSO):

Year	JJDP	State	Total
2006	\$265,000	\$0	\$265,000
2007	\$265,000	\$0	\$265,000
2008	\$150,000	\$0	\$150,000

Budget (Delinquency Prevention):

Year	JJDP	State	Total
2006	\$62,000	\$0	\$62,000
2007	\$50,000	\$0	\$50,000
2008	\$150,000	\$0	\$150,000

Budget (Serious Crime):

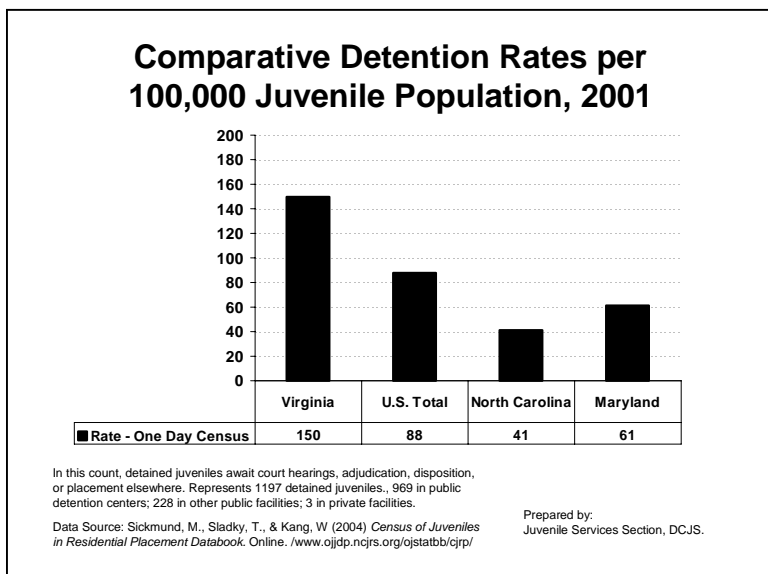
Year	JJDP	State	Total
2006	\$274,400	\$0	\$274,400
2007	\$180,400	\$0	\$180,400
2008	\$120,400	\$0	\$120,400

Priority 5: Providing Alternatives to Detention

Federal Program Area: (02) Alternatives to Detention

Program Problem Statement:

Virginia detains juveniles at a rate that far exceeds the national average and the rates of adjoining states, as the chart shows.



In 2005, there were over 17,000 admissions of juveniles to secure detention facilities in Virginia. This represents 10,532 children of whom about 65% were admitted once and the rest multiple times during the fiscal year. In comparison, there were less than 1,000 commitments to juvenile correctional centers. The disparity suggests that there is a large population that could be

served in the community without jeopardizing public safety.

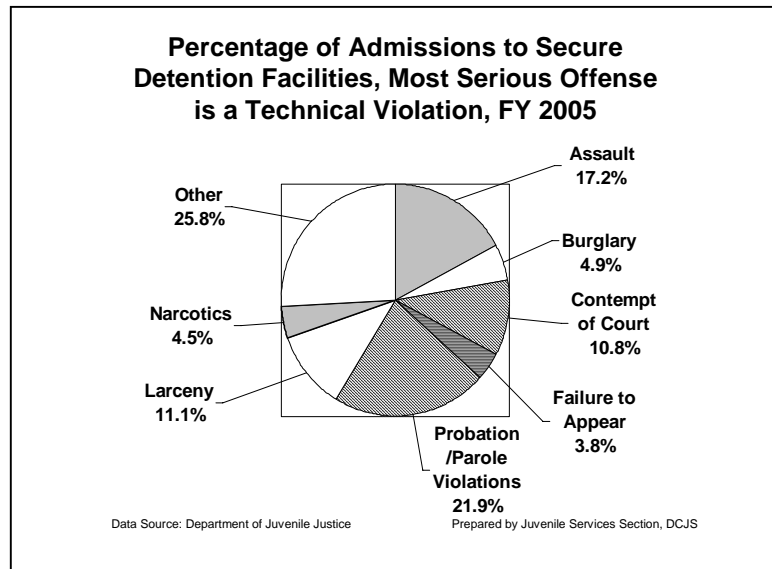
Most admissions to secure detention facilities are predispositional; they are of children awaiting adjudication, disposition, or placement -- in 2005, 77%. Those children have not been adjudicated delinquent, or as *children in need of services* or *children in need of supervision* (CHINS or CHINSup).

It is known that detention is harmful for low-risk offenders¹⁰; it exposes them to delinquent peers and that exposure is a predictor of delinquency¹¹. A large percentage of children in secure detention facilities are held for technical violations such as probation or parole violations. They have not committed a new offense. Community alternatives that provide graduated sanctions might be a viable alternative.

¹⁰ Bell, James. Presentation at the Virginia Department of Juvenile Justice Disproportionate Minority Contact conference, Crystal City, Virginia. June 28, 2004.

¹¹ Hawkins, J., Herrenkohl, T., Farrington, D., Brewer, D., Catalano, R., Harachi, T., & Cothorn, L. (2000). *Predictors of youth violence*. Juvenile Justice Bulletin. Washington, D.C.: U.S. Department of Justice, Office of Justice Programs, Office of Juvenile Justice and Delinquency Prevention.

In FY2005, for 22% of admissions to secure detention facilities, the most serious offense was a probation or parole violation. For another 11%, the most serious offense was contempt of court. About 4% were for failure to appear. These are technical violations. Together they represent over one-third of admissions to secure detention facilities. The percentages are unchanged from 2003 and 2004.



Detention is expensive. The average cost per day per child in Virginia for FY 2004 was \$181.73¹², which computes to \$66,331 per year.

Program Goals/Objectives /Activities:

Goal A: Reduce the number of juveniles in detention.

Objective 1:

Increase the use of model programs or strategies.

Activities and Services Planned

- ◆ Fund initiatives that replicate model programs or strategies;
- ◆ Provide technical assistance in program implementation;
- ◆ Provide training in model strategies and programs.

Objective 2:

Reduce admissions for technical violations.

Activities and Services Planned

- ◆ Fund local programs that provide alternatives to detention;
- ◆ Provide training about alternatives to detention;

Goal B: Reduce the length of stay in detention.

Objective:

Increase the use of community alternatives to detention.

Activities and Services Planned:

- ◆ Offer grant funding for community alternatives to detention;
- ◆ Offer grant funding for detention expeditors.

¹² Data provided by Virginia Department of Juvenile Justice, February, 2006.

Performance Measures:

Output Measures

- ◆ Amount of formula grant funds awarded for services;
- ◆ Number of program youth served.

Outcome Measures

- ◆ Number and percent of program youth who offend or re-offend;
- ◆ Number and percent of program youth completing program requirements.

Note. In Virginia, sub-grantees choose non-mandatory output and outcome measures.

Budget:

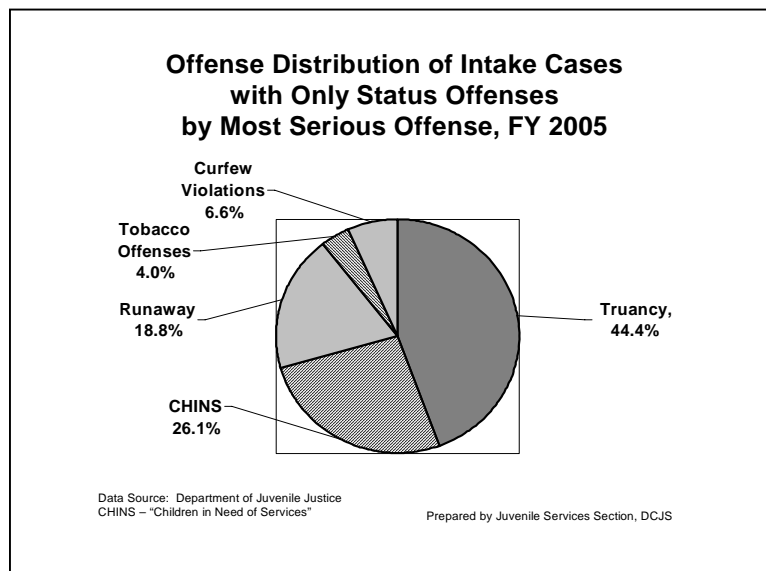
Year	JJDP	State	Total
2006	\$240,000	\$0	\$240,000
2007	\$275,000	\$0	\$275,000
2008	\$220,000	\$0	\$220,000

Priority 6: Reducing System Involvement of Truants and Juveniles with other negative school-related behaviors

Federal Program Areas: (08) Deinstitutionalization of Status Offenders
(09) Delinquency Prevention

Program Problem Statement:

Truancy has long been an issue in Virginia. In 1998, the legislature sought to address the issue of truancy by enacting a statute that requires a school system to develop an intervention plan for any student who is absent five days without parental knowledge. The legislation requires a series of planned steps involving the school and the family. When earlier steps fail, the final required step is filing a petition in the juvenile and domestic relations district court¹³.



Truancy cases are impacting judicial workload and docket.

Our most recent data, for 2005, show that 44% of all status intake cases reported truancy as the most serious offense. The number of intake cases for truancy has more than doubled over the period 1998-2005, undoubtedly at least partly in response to the legislative change. In 2005, as in 2004, almost

5,000 children (4,865) were taken to intake for truancy. Seventy-one percent of those were petitioned to court as *children in need of supervision*.

Truancy can have long-term implications. For children aged 12-14, school attitude and performance are moderate predictors of later violent or serious delinquency¹⁴. Most juveniles who are in juvenile correctional centers and thus are far into the juvenile justice system have little schooling. Over half of males

¹³ Code of Virginia, Ann., §22.1-258 and 16.1-260B

¹⁴ Hawkins, J., Herrenkohl, T., Farrington, D., Brewer, D. Catalano, R., Harachi, T., & Cothorn, L. (2000). *Predictors of youth violence*. Juvenile Justice Bulletin. Washington, D.C.: U.S. department of Justice, Office of Justice Programs, Office of Juvenile Justice and Delinquency Prevention.

committed in 2003 had completed only grade 6-8 and they read and write below that level¹⁵.

Although the intent of the legislation is to hold children and their parents accountable for school attendance, the procedure varies widely among localities. Those localities that are approaching truancy in a multi-disciplinary fashion are having an impact on the truancy problem. Other localities are not following the intent of the legislation requiring a series of planned steps involving the child, the school and the family before any petition to court.

Truancy is not just a problem of the child. A coordinated response among local community service providers is needed to respond to the individual and familial causes of truancy.

Goals/Objectives/Activities:

Goal A: Increase the capacity of localities to deal effectively with truant children and their families.

Objective 1:

Improve access to services that address truancy effectively.

Activities and Services Planned:

- ◆ Provide grant funding to implement truancy programs;
- ◆ Provide training to address the truancy issue.

Objective 2:

Improve access to services for suspended or expelled children.

Activities and Services Planned:

- ◆ Provide grant funding for programs for suspended or expelled children.

Performance Measures (DSO):

Output Measures

- ◆ Federal grant funds awarded for Deinstitutionalization of Status Offenders;
- ◆ Number of programs implemented;
- ◆ Number of site visits conducted;
- ◆ Number of program youth served.

Outcome Measures

- ◆ Change in the number of violations of Deinstitutionalization of Status Offenders.

Note. In Virginia, sub-grantees choose non-mandatory output and outcome measures.

¹⁵ Waite, D., & Neff, J. (2004). *Profiles of Incarcerated Adolescents in Virginia's Correctional Facilities, Fiscal years 1999-2003*. Richmond, VA, Virginia Department of Juvenile Justice.

Performance Measures (Delinquency Prevention):

Output Measures

- ◆ Amount of formula grants or Title V funds awarded;
- ◆ Number of program youth served.

Outcome Measures

- ◆ Number and percent of program youth exhibiting desired change in targeted behaviors;
- ◆ Number and percent of youth completing program requirements.

Note. In Virginia, sub-grantees choose non-mandatory output and outcome measures.

Budget (DSO):

Year	JJDP	State	Total
2006	\$85,000	\$0	\$85,000
2007	\$60,000	\$0	\$60,000
2008	\$60,000	\$0	\$60,000

Budget (Delinquency Prevention):

Year	JJDP	State	Total
2006	\$70,000	\$0	\$70,000
2007	\$60,000	\$0	\$60,000
2008	\$40,000	\$0	\$40,000

Priority 7: Legal Representation of Juveniles

Federal Program Area: (19) Juvenile Justice System Improvement

Program Problem Statement:

In 2002, the American Bar Association and the Mid-Atlantic Defender Center published a report about the legal representation of juveniles in Virginia¹⁶ that pointed to a number of inadequacies in the current system.

According to the report, access to legal counsel and quality representation in delinquency proceedings is lacking in Virginia.

This assessment reveals significant gaps in indigent defense practices, including flaws in the appointment process, lack of time and resources to adequately prepare a case, a tendency to accept plea offers rather than aggressively protect the rights and needs of children and the near absence of any post-dispositional legal representation. The system, as it is presently structured, is, at best, uneven, and clearly has had a disproportionate impact on poor and minority children. (page 1).

At the time of the report, In Virginia, counsel was not appointed until the detention hearing. The practice was that only retained private counsel participated at arrest, intake, and initial detention hearings. That has changed. In the Virginia 2004 and 2005 General Assembly sessions, legislation provided that counsel would be appointed prior to the detention hearing¹⁷ and that a child could waive counsel only if the offense would not be a felony if committed by an adult.

There is a lack of available juvenile counsel. The report indicated that indigent children in jurisdictions served by public defenders fare better than those in jurisdictions without public defenders where court-appointed attorneys represent juveniles. Most jurisdictions in Virginia use the court-appointed system for juvenile representation. New legislation was enacted in 2004 that addressed this issue. It expanded the responsibility of the Public Defender Commission to include court-appointed counsel for indigent clients and renamed it the *Indigent Defense Commission*¹⁸.

The report also suggested that some juvenile counsel are untrained, inexperienced, unprofessional, and incompetent. The expanded mandate of the Indigent Defense Commission includes enforcing qualification standards for attorneys seeking to become court-appointed counsel, developing training

¹⁶ American Bar Association Juvenile Justice Center & Mid-Atlantic Juvenile Defender Center (2002). *Virginia: An Assessment of access to counsel and quality of representation in delinquency proceedings*. Washington, D.C.: American Bar Association.

¹⁷ This amends the Code of Virginia, §16.1-250.

¹⁸ Virginia Code, Ann. §19.2-163.01

courses, and developing standards of conduct. Training responsibilities include providing additional training on representing juveniles to attorneys seeking to qualify as counsel in juvenile and domestic relations district court¹⁹.

Compensation for court-appointed counsel is low -- \$112 to see a child's case through the delinquency system²⁰ and service in the Juvenile and Domestic Relations Court is seen as a training ground with low status rather than an end in itself²¹. In the 2006 Legislative Session, legislation was introduced to increase compensation, but was defeated.

Goals/Objectives/Activities:

Goal A: Improve the quality of legal service for juveniles provided by public defenders and court appointed counsel.

Objective:

Increase training opportunities for attorneys who provide representation for juveniles.

Activities and Services Planned:

- ◆ Provide funds for initiatives to improve legal representation;
- ◆ Monitor legislation in the current Session that increases compensation for court-appointed counsel.

Performance Measures:

Output Measures:

- ◆ Federal grant funds awarded for Juvenile Justice System Improvement;
- ◆ Number of program youth served*.

Outcome Measures:

- ◆ Number and percent of youth completing program requirements*.
- ◆ Number and percent of program youth exhibiting a desired change in targeted behavior*.

* If applicable.

Note. In Virginia, sub-grantees choose non-mandatory output and outcome measures.

¹⁹ Virginia Code, Ann. §19.2-163.01.

²⁰ Virginia Code, Ann §§16.1-267, 19.2-163.

²¹ American Bar Association Juvenile Justice Center & Mid-Atlantic Juvenile Defender Center (2002). *Virginia: An Assessment of access to counsel and quality of representation in delinquency proceedings*. Washington, D.C.: American Bar Association.

Budget:

Year	JJDP	State	Total
2006	\$0	\$0	\$0
2007	\$50,000	\$50,000	\$50,000
2008	\$50,000	\$50,000	\$50,000

Note. Activities to improve the legal representation of children are being funded with Challenge funds in 2006.

Title: State Advisory Group

Federal Program Area: (31) State Advisory Group

Program Problem Statement:

The Virginia Advisory Committee on Juvenile Justice is appointed by the Governor to advise the Governor, the Secretary of Public Safety, the Criminal Justice Services Board, DCJS, youth-serving agencies, and the public on matters relating to juvenile justice and delinquency prevention.

It also provides leadership in prioritizing efforts under the JJDP Act and funds allocated under the Juvenile Accountability Block Grant (JABG). The group represents a cross section of agency providers, private citizens, elected officials and youth. In addition, the committee reviews and recommends projects for funding from JJDP Act formula grants and JABG grants.

Program Goals/Objectives/Activities:

Goal: To improve the prevention and treatment of juvenile delinquency in Virginia.

Objective 1:

Improve the knowledge of needs, problems and solutions regarding the prevention and treatment of juvenile delinquency.

Activities and Services Planned

- ◆ Distribute and provide online the Annual Report of the Advisory Committee, the Three-Year Plan and annual Updates, topic-specific research reports, and fact sheets;
- ◆ Provide presentations on juvenile justice issues to state boards and commissions, local units of government and the public;
- ◆ Provide training opportunities for Advisory Committee members;
- ◆ Develop and maintain subcommittees of the Advisory Committee.

Objective 2:

Ensure the development of new programs across the Commonwealth that address priority needs.

Activities and Services Planned

- ◆ Develop and maintain a grants subcommittee of the Advisory Committee;
- ◆ Annually, develop a list of priority problems and needs based on data analysis, input from the juvenile justice community, and review of the service system's capability;

- ◆ Annually, prioritize efforts under the JJDP Act and the JABG program based on the prioritized problem list;
- ◆ Approve, annually, an application packet for juvenile justice grant funds outlining priority needs;
- ◆ Review and make recommendations on all JJDP Act and JABG program grant applications prior to final approval by the Criminal Justice Services Board.

Objective 3:

Work toward a solution of the imbalance of service availability throughout the Commonwealth.

Activities and Services Planned

- ◆ Request presentations from state service agencies on their representative service systems;
- ◆ Request presentations on interagency initiatives formulated to respond to service gaps;
- ◆ Offer initiatives, for example, the one-time special fund program and the concept paper model of grant solicitations, that make it easier for all localities, regardless of their employment of grant writers, to avail themselves of JJDP funds;
- ◆ Offer initiatives that do not discriminate against specific populations such as rural localities.

Objective 4

Improve the legal processing of juveniles in Virginia.

Activities and Services Planned

- ◆ The Advisory Committee has made this a priority area for 2006-2008. (For details of activities and performance indicators, see the Problem Statement, *Legal Representation of Juveniles*, and the associated Program Description.)

Objective 5

Provide training to juvenile justice professionals to improve their ability to serve the juvenile population.

Activities and Services Planned

- ◆ Sponsor an annual Juvenile Justice and Delinquency Prevention conference.

Objective 6:

Ensure that juveniles in the system are safe and are treated fairly.

Activities and Services Planned

- ◆ The Advisory Committee monitors statistical, programmatic and compliance information and reports on an annual basis through the Compliance Monitoring Report, the Advisory Committee on Juvenile Justice Annual Report and the Three-Year Plan and Updates;

- ◆ The Advisory Committee certifies local compliance for Title V grant eligibility;
- ◆ Monitor legislation that relates to children in the juvenile justice system;
- ◆ Plan a meeting of the ACJJ Disproportionate Minority Contact Subcommittee to continue planning to address DMC in Virginia.

(See the Compliance Improvement Program Description, the Compliance Monitoring Plan, and the Disproportionate Minority Representation Plan for details of the Commonwealth's strategies and procedures for ensuring compliance with the core requirements of the Act.)

Performance Measures:

Output Measures

- ◆ Number of grants funded with formula grant funds;
- ◆ Number of grant applications commented upon and reviewed;
- ◆ Number of SAG committee meetings held;
- ◆ Number of SAG subcommittee meetings held.

Outcome Measures

- ◆ Number and percent of plan recommendations implemented;
- ◆ Number of formula grant funded programs sustained after 3 years;
- ◆ Number and percent of SAG members who show increased knowledge of their program areas (for which they have oversight).

Budget:

Year	JJDP	State	Total
2006	\$30,000	\$0	\$30,000
2007	\$30,000	\$0	\$30,000
2008	\$30,000	\$0	\$30,000

Title: Planning and Administration

Federal Program Area: (23) Planning and Administration

Program Problem Statement:

To improve the functioning and effectiveness of the juvenile justice system through research, planning, policy development, and funding of juvenile justice and delinquency prevention initiatives.

Program Goals/Objectives/Activities:

Goal A: Oversee, administer, and coordinate activities as they relate to the JJDP Act by monitoring compliance, administering grants, undertaking comprehensive, research-based planning, providing technical assistance and training, and providing program development.

Objective 1:

Ensure that Virginia continues to comply with all JJDP Act mandates and requirements and all federal administrative requirements.

Activities and Services Planned:

- ◆ Submit required monitoring, compliance, and performance update reports to OJJDP, including the monitoring report, the performance report, updates to the Three-Year Plan, and Annual Reports, according to their established timelines;
- ◆ Perform on-site facility visits, review on-site monitoring reports originated by other agencies, monitor facility statistical reports, verify and report violations, and develop corrective strategies to ensure compliance with the JJDP Act;
- ◆ Provide OJJDP with all required grant documentation;
- ◆ Maintain a grant monitoring and evaluation system to ensure quality funding decisions;
- ◆ Conduct annual monitoring of JJDP grantees in Virginia;
- ◆ Work with the General Assembly to ensure that the *Code of Virginia* continues to comply with the JJDP Act;
- ◆ Provide public education about the mandates of the JJDP Act to the Department of Juvenile Justice, state and local law enforcement agencies, judges, and other relevant agencies and citizen groups.

Objective 2:

Maintain a financial assistance mechanism for grants to state agencies and general units of local government using federal JJDP Act funds.

Activities and Services Planned:

- ◆ Maintain a financial accounting system for dispersing federal funds to state agencies and localities;
- ◆ Develop and disseminate fiscal guidelines detailing the appropriate use of JJDP funds;
- ◆ Provide technical assistance to state agencies and general units of local governments.

Objective 3:

Provide staff support services to the Secretary of Public Safety in his efforts to improve the juvenile justice system in Virginia.

Activities and Services Planned:

- ◆ Provide data and information about Virginia's juvenile justice system in public forums, in report form, and on the Agency web site;
- ◆ Develop potential impact statements about proposed and introduced legislation to assist the executive branch of state government;
- ◆ Participate in study committees and policy analysis activities;
- ◆ Respond to information requests from the General Assembly.

Objective 4:

Maintain a comprehensive juvenile justice planning, data analysis, technical assistance, program development, and training capability.

Activities and Services Planned:

- ◆ Develop issue papers concerning major juvenile justice problems;
- ◆ Develop data-based policy and planning documents for state decision-makers to implement JJDP goals, objectives, and mandates;
- ◆ Coordinate with local, regional, and state agency planners to ensure a comprehensive planning capability for juvenile services;
- ◆ Attend nationally sponsored conferences on juvenile justice issues;
- ◆ Maintain contact with juvenile justice specialists in other states for resource and information sharing;
- ◆ Receive and provide training in the areas of program development, evaluation, and data analysis.

Goal B: Work with the Executive Branch to appoint and support the State Advisory Group (SAG).

Objective:

Provide administrative support to the SAG.

Activities and Services Planned:

- ◆ Convene a minimum of four SAG group meetings annually;
- ◆ Staff one annual retreat for comprehensive planning by the SAG;
- ◆ Respond to information requests from SAG members.

Performance Measures:

Output Measures

- ◆ Amount of Formula Grants funds awarded for planning and administration;
- ◆ Number of subgrants awarded;
- ◆ Number of SAG committee and subcommittee meetings staffed;
- ◆ Number of planning activities conducted.

Outcome Measures

- ◆ Number and percent of programs funded directly in line with the Three-Year Plan;
- ◆ Number of formula grant funded programs sustained after 3 years;
- ◆ Number and percent of formula grant programs evaluated.

Budget

Year	JJDP	State	Total
2006	\$135,600	\$135,600	\$271,200
2007	\$135,600	\$135,600	\$271,200
2008	\$135,600	\$135,600	\$271,200